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REMARKS

Claims 4 and 5 have been amended. Claims 6, 8, and 9 have been cancelled. Claims 4-5 and 7 remain pending. Reconsideration and reexamination of the application, is amended, are requested.

The Examiner rejected claims 4 and 5 under 35 USC 112, first paragraph, as failing to comply with the written description requirement. Applicant disagrees.

The Examiner indicated that the originally filed application did not disclose that the electric motor is driven to take up webbing when a collision is predicted and an acceleration equal to or larger than a predetermined value is applied to the vehicle. The Examiner further indicated that the originally filed application did not disclose the means for sensing acceleration equal to or larger than the predetermined value to control the electric motor.

The originally filed patent application discloses at page 3, lines 9-16, the following:

a motor of a retractor is driven for rotation in a normal direction to take up a webbing of a seat belt, and when an acceleration equal to or larger than a predetermined value is applied to the vehicle, the webbing is locked so that it can not be drawn out of the retractor, wherein when the collision of the vehicle has been avoided, and it is detected by systems having information regarding the acceleration of the vehicle that the acceleration of the vehicle has been reduced to be smaller than the predetermined value, the motor of the retractor is driven for rotation in the normal direction to cancel the locking, thereby loosening the webbing.

Further, the originally filed application at page 9, line 26 to page 10, line 12 states the following:

after it is confirmed that the acceleration of the vehicle has been reduced to lower than the predetermined value (e.g., 0.4G), based on a signal from the ACC system 19, the VSA system 20, the EPS system 21, the SRS 22, the automatic transmission 23 or the like for controlling the acceleration of the vehicle, namely, after it is confirmed that the weight 39 has been restored to the upright attitude, whereby the locking of the inertia gear 64 has been canceled. As a result, the locking lever 37 is dropped by the force of gravity, thereby causing the ratchet

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claw 37a to be disengaged from the ratchet 34a. Therefore, the inertia gear 34 is unlocked rotatably in the direction indicated by the arrow B and thus, the tension of the webbing 11 can be reduced to release the restraint of the occupant.

Thus, there is disclosure as indicated above which very specifically provides basis and written description for the language relating to the limitations for the electric motor and the sensing means in claims 4 and 5. Furthermore there is an exemplary predetermined value given in page 10, line 1. It is submitted that not only the language indicated provides sufficient written description, but the rest of the disclosure provides context within which to understand the limitation language relating to the electric motor and the sensing means. Applicant submits that there is adequate written description.

The Examiner rejected claims 4-9 under 35 USC 103(a) as being obvious on consideration of Fohl in view of Taguchi et al.

The references do not disclose an electric motor driven for rotation in one direction or the other based on an acceleration of a predetermined value and sensing means for an acceleration of the predetermined value wherein the sensing means are one of ACC, VSA, EPS, SRS, or AT. Since neither reference discloses the necessary structure, claim 4 can not be obvious on a consideration of them.

With respect to claim 5, the seat belt device requires a weight housing having a weight seat with a movable member supported on the weight seat. The weight member has a top surface with a recess such that a locking lever has a lower surface with a projection which contacts the recess. Fohl does not disclose any similar structure. Taguchi discloses a pendulum 43. A pendulum, however, is not a weight seat having a movable weight member thereon. The references do not disclose the structure as claimed in claim 5, nor the limitations of that structure. Claim 5 does not follow from and is non-obvious over the references.

Claim 7 depends from claim 5 and is also patentable.

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In view of the above, it is submitted that the application is in condition for allowance. Reconsideration and reexamination are requested. Allowance of claims 4-5 and 7 at an early date is solicited. Any questions regarding this communication can be directed to the undersigned attorney, Curtis B. Hamre, Reg. No. 29,165 at (612) 455-3802.



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Respectfully submitted,

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By:

A handwritten signature in black ink, appearing to read "Curtis B. Hamre".

Curtis B. Hamre
Reg. No. 29,165
CBH/tk